

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

SCHUYLER PYATTE BARBEAU,

Defendant.

NO. CR15-391RAJ

**STIPULATED MOTION TO
CONTINUE TRIAL**

Noted: April 19, 2016

The defendant, Schuyler Barbeau, by and through his attorney, Walter Peale, and the United States of America, by and through Annette L. Hayes, United States Attorney for the Western District of Washington, and Thomas M. Woods, Assistant United States Attorney for said District, respectfully files this motion to continue.

On April 5, 2016, the Court permitted Dennis Carroll to withdraw as counsel. On April 8, 2016, Walter O. Peale was appointed as counsel. Trial is scheduled for May 2, 2016.

The parties agree that it is not reasonable for new counsel to prepare for trial within the current trial date. The discovery consists of multiple hours of recordings, along with a number of documents.

Mr. Peale has a number of case conflicts. He has a confirmed state case set for trial on May 2. He has a number of short cases set that will take most of May and early

1 June. He has a homicide case set for trial on July 25 in Pierce County that is expected to
2 last two to three weeks. He also has a separate case set for trial in Pierce County on
3 September 14. Finally, he has an alleged shaken baby case set for trial on October 24
4 that is expected to last three weeks.

5 In light of these conflicts, and the scope of the underlying material in the case, the
6 government requests that the case be set for a date in early October. The defense has no
7 objection to early October except other State cases may not be finished. To avoid a
8 conflict with defense State cases, the defense requests a trial setting in November or early
9 December.

10 Mr. Peale has conferred with Mr. Barbeau and he is agreeable to a continuance
11 until as late as December if needed. He has been advised of his Speedy Trial rights, and
12 will execute a waiver, a copy of which will be filed this week.

13 DATED: April 19, 2016

14 Respectfully submitted,

15 ANNETTE L. HAYES
16 United States Attorney

17 /s/ Thomas M. Woods
18 THOMAS M. WOODS
19 Assistant United States Attorney
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26 /s/ Walter O. Peale
27 WALTER O. PEALE
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It is further certified that on April 19, 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF participants.

E-mail: thomas.woods2@usdoj.gov